

**From:** Springer, Darren [Darren.Springer@vermont.gov]  
**Sent:** Thursday, May 19, 2016 1:46 PM  
**To:** Gray, Laura  
**Subject:** RE: Confidential Executive Privileged: Climate EO  
**Attachments:** Climate EO.docx

This is great! I made some edits and cut down on whereas clauses. See if you have any other additions or edits and then lets provide to Justin for comment.

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Please note: My email address has changed to [Darren.Springer@vermont.gov](mailto:Darren.Springer@vermont.gov).

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**From:** Gray, Laura  
**Sent:** Thursday, May 19, 2016 1:18 PM  
**To:** Springer, Darren <Darren.Springer@vermont.gov>  
**Subject:** Confidential Executive Privileged: Climate EO

Here is a (rough) draft of a possible EO. I left it very broad so that the issues don't get bogged down. Also probably went overboard on Whereasses. I know once we open this up to others who know way more about this than I do we can flesh out if we want to. What do you think about requiring AOA to create policy rather than prescribe it in the EO? If you look at NY EO below the salient pieces get lost a little. Also theirs is more green procurement with toxics. San Francisco did a B corp preferential bidding program and Cleveland has a registration process for local sustainable companies and if you are registered you get a bid discount percentage.

<http://www.sfbos.org/Modules/ShowDocument.aspx?documentid=41406> San Fran

<http://gogreenplus.org/cleveland/> Cleveland

<http://www.dec.ny.gov/energy/71389.html> New York State

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WHEREAS climate change is the most urgent environmental issue of our time; and

WHEREAS solving the problem will require us to act on many fronts at once – among them are building more resilient communities and infrastructure, improving vehicle gas mileage, strengthening efforts in energy efficiency and weatherization, expanding our renewable energy portfolio, and working with our neighboring states and regions to ensure the actions that we take are effective; and

WHEREAS here in Vermont, we have an important role to play to show the rest of the world that despite a Congress dominated by climate change deniers, states like Vermont are serious about climate action; and

WHEREAS, cultivating a “green economy” in Vermont has led to the creation of over 1400 new clean energy jobs in the past year and Vermont now has the highest number of per capita clean energy jobs of any U.S. state; and

WHEREAS, the State has the duty to lead by example and encourage companies to promote and utilize best practices that are consistent with our efforts to reduce emissions and move to clean energy in Vermont; and

WHEREAS, the legislature has created the statutory goal of producing 25 percent of energy consumed through the use of renewable energy sources (10 V.S.A. § 580(a)) and the 2016 Comprehensive Energy Plan calls for 90 percent renewables by 2050; and

WHEREAS Vermont has a statutory target of a 75 percent reduction in greenhouse gas emissions from the 1990 levels by 2050 (10. V.S.A. §578); and

WHEREAS the 2016 Comprehensive Energy Plan calls for a reduction in per capita energy use of 15 percent by 2025; and

WHEREAS Vermont adopted an innovative renewable energy standard with Act 56 of 2015 that not only sets utility renewable targets, but implements solutions to address carbon emissions from the transportation and heating sectors, which account for more than two-thirds of Vermont’s carbon emissions; and

WHEREAS the House via passage of H.R. 13 and a tri-partisan majority of the Senate via letter have supported divestment of state pension funds from coal and Exxon Mobil and to investigate full divestment from fossil fuels; and

WHEREAS the State can encourage additional action on climate change through the state procurement process;

NOW, THEREFORE, BE IT RESOLVED that I, Peter Shumlin, by virtue of the authority vested in me as the Governor of the State of Vermont, do hereby order and direct the Secretary of Administration, in consultation with the Climate Cabinet, to include in the competitive bidding process a policy that gives preference to bids for companies that consider climate change in the way that they do business. The Secretary may set a de minimus threshold for application, and the policy shall consider whether the bidder employs the following practices or is able to demonstrate progress toward one or more of the following practices:

1. Use of thermal and electric efficiency and conservation measures.

2. Extent to which the bidder utilizes renewable energy sources for its operations.
3. Efforts to reduce and track carbon emissions.
4. Use of and encouragement of employee use of electric and zero emissions vehicles including providing workplace charging stations.
5. Whether the bidder offers employees an option for a fossil fuel divested retirement account consistent with H.R. 13, and whether the company has taken action to divest funds or accounts it manages from fossil fuels.
6. Whether the bidder is a certified Vermont Benefit Corporation, or B Corporation under 11B V.S.A. § 17.05.
7. Other factors deemed relevant by the Agency relating to environmentally responsible practices.

After consideration of whether a company is a resident bidder and/or whether products are raised or manufactured in the State as consistent with current practices, a bidder that employs the above practices shall be given preference in the competitive bidding process.